(Pub. L. 101-610, title V, §501, Nov. 16, 1990, 104 Stat. 3185; Pub. L. 102-384, §11, Oct. 5, 1992, 106 Stat. 1459; Pub. L. 103-82, title III, §301(a), Sept. 21, 1993, 107 Stat. 897.)

REFERENCES IN TEXT

1990, 104 Stat. 3127, as amended, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 12501 of this title and Tables.

AMENDMENTS

1993-Pub. L. 103-82 amended section generally, substituting subsecs. (a) to (d) for former subsecs. (a) and (b) which authorized appropriations to carry out subchapter I for fiscal year 1993 and subchapter II for fiscal years 1991 to 1993.

1992—Subsec. (a)(1). Pub. L. 102-384, §11(a), amended par. (1) generally. Prior to amendment, par. (1) read as follows: "There are authorized to be appropriated to carry out subchapter I of this chapter, \$56,000,000 for fiscal year 1991, \$95,500,000 for fiscal year 1992, and \$105,000,000 for fiscal year 1993.

Subsec. (a)(2). Pub. L. 102–384, §11(b), substituted "paragraph (1)(A)" for "paragraph (1)" in introductory provisions, redesignated subpars. (B) to (D) as (A) to (C), respectively, added subpar. (D), and struck out former subpar. (A) which read as follows: "\$2,000,000 shall be made available to carry out part G of subchapter I of this chapter in each such fiscal year;".

EFFECTIVE DATE OF 1993 AMENDMENT

Section 301(b) of Pub. L. 103-82 provided that: "The amendment made by subsection (a) [amending this section] shall take effect on October 1, 1993.'

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 12576, 12581, 12601, 12605, 12625, 12640, 12662, 12663 of this title.

§ 12682. Actions under national service laws to be subject to availability of appropriations

No action involving the obligation or expenditure of funds may be taken under one of the national service laws (as defined in section 12511(15) of this title) unless and until the Corporation for National and Community Service has sufficient appropriations available at the time such action is taken to satisfy the obligation to be incurred or make the expenditure to be made.

(Pub. L. 103-82, title II, §205, Sept. 21, 1993, 107 Stat. 897.)

CODIFICATION

Section enacted as part of the National and Community Service Trust Act of 1993, and not as part of the National and Community Service Act of 1990 which comprises this chapter.

CHAPTER 130—NATIONAL AFFORDABLE HOUSING

SUBCHAPTER I—GENERAL PROVISIONS AND POLICIES

12701. National housing goal.

12702. Objective of national housing policy.

Purposes of Cranston-Gonzalez National Af-12703.

fordable Housing Act.

12704. Definitions.

State and local housing strategies. 12705.

(a) In general.

- (b) Contents.
- (c) Approval.
- (d) Coordination of State and local housing strategies.
- (e) Consultation with social service agencies.
- (f) Barrier removal.
- (g) Treatment of troubled public housing agencies. Purposes of Removal of Regulatory Barriers

12705a. to Affordable Housing Act. 12705b.

Definition of regulatory barriers to affordable housing.

Grants for regulatory barrier removal strate-12705c. gies and implementation.

- (a) Funding.
- (b) Grant authority.
- (c) Repealed.
- (d) Definitions.
- (e) Application and selection.
- (f) Selection of grantees.
- (g) Coordination with clearinghouse.
- (h) Reports to Secretary.

12705d. Regulatory barriers clearinghouse.

- (a) Establishment.
- (b) Functions.
- (c) Organization.
- (d) Timing.

12706 Certification.

- Citizen participation. 12707.
 - (a) In general.
 - (b) Notice and comment.
 - (c) Consideration of comments.
 - (d) Regulations.

12708. Compliance.

- (a) Performance reports.
- (b) Performance review by Secretary.
- (c) Review by courts.
- 12709. Energy efficiency standards. (a) Establishment.

 - (b) Model Energy Code.
 - (c) Revisions of Model Energy Code.

12710. Capacity study.

- (a) In general.
- (b) Report.
- Protection of State and local authority. 12711.

12712. 5-year energy efficiency plan.

- (a) Establishment.
- (b) Initial plan.
- (c) Updates.
- (d) Submission to Congress.

12713.Eligibility under first-time homebuyer programs.

- (a) Eligibility of displaced homemakers and single parents for Federal assistance for first-time homebuyers.
- (b) Definitions.
- (c) Applicability.

12714. Repealed.

SUBCHAPTER II—INVESTMENT IN AFFORDABLE HOUSING

12721. Findings.

12722.

12723. Coordinated Federal support for housing strategies.

12724. Authorization.

12725. Notice.

PART A—HOME INVESTMENT PARTNERSHIPS

12741. Authority.

Eligible uses of investment. 12742.

- (a) Housing uses.
- (b) Investments.
- (c) Administrative costs.
- (d) Prohibited uses.
- (e) Cost limits.
- (f) Certification of compliance.
- (g) Limitation on operating assistance.

| Sec. 12743. | Development of model programs. (a) In general. (b) Adoption of programs. | Sec. 12782. 12783. | Priorities for capacity development. Conditions of contracts. |
|------------------|---|--------------------------|---|
| 12744. | (c) Part D programs. | 4.000.4 | (a) Eligible organizations.(b) Contract terms. |
| 12745. | Income targeting. Qualification as affordable housing. (a) Rental housing. (b) Homeownership. | 12784. 12785. | Research in housing affordability. REACH: asset recycling information dissemination. |
| 12746. | Participation by States and local governments. | | (a) In general.(b) Eligible properties. |
| 12747. | Allocation of resources. (a) In general. | | PART D—SPECIFIED MODEL PROGRAMS |
| | (b) Formula allocation. (c) Criteria for direct reallocation. | 12801. 12802. | General authority. Rental housing production. |
| 10740 | (d) Reallocations. | | (a) Repayable advances.(b) Selection guidelines. |
| 12748. | HOME Investment Trust Funds. (a) Establishment. | 12803. | (c) Guidelines. Rental rehabilitation. |
| | (b) Line of credit.(c) Reductions. | 12003. | (a) In general. |
| | (d) Certification.(e) Investment within 15 days. | | (b) Amount of subsidy.(c) Additional restrictions. |
| | (f) No interest or fees.(g) Expiration of right to draw funds. | 12804. | Rehabilitation loans. (a) In general. |
| 12749. | (h) Administrative provision. Repayment of investment. | | (b) Condition of loans. (c) Additional restrictions. |
| 12110. | (a) In general. | 12805. | Sweat equity model program. |
| | (b) Assurance of repayment.(c) Availability. | | (a) In general.(b) Rehabilitation of properties. |
| 12750. | Matching requirements. (a) Contribution. | | (c) Homeownership opportunities through sweat equity. |
| | (b) Recognition.(c) Form. | | (d) Rental opportunities through sweat equity. |
| 12751. | (d) Reduction of requirement. Private-public partnership. | | (e) "Self-help housing" defined. |
| 12752. | Distribution of assistance. (a) Local. | 12806. | (f) Additional restrictions.Home repair services grants for older and dis- |
| 10550 | (b) State. | | abled homeowners. (a) In general. |
| 12753. 12754. | Penalties for misuse of funds. Limitation on jurisdictions under court | | (b) Eligible recipients. (c) Permitted restrictions. |
| | order. (a) In general. | 12807. | Low-income housing conservation and effi- |
| 12755. | (b) Remedial use of funds permitted. Tenant and participant protections. | | ciency grant programs. (a) In general. |
| | (a) Lease.(b) Termination of tenancy. | 12808. | (b) Activities. Second mortgage assistance for first-time |
| | (c) Maintenance and replacement. (d) Tenant selection. | | homebuyers. (a) In general. |
| 12756. | Monitoring of compliance. | | (b) Homeownership counseling. (c) Eligibility requirements. |
| | (a) Enforceable agreements.(b) Periodic monitoring. | | (d) Payment terms. |
| | (c) Special procedures for certain projects. | 12809. | (e) Security. Rehabilitation of State and local government |
| PA | RT B—COMMUNITY HOUSING PARTNERSHIP | | in rem properties. (a) In general. |
| 12771. | Set-aside for community housing development organizations. | 12810. | (b) Target. Cost-saving building technologies and con- |
| | (a) In general. (b) Recapture and reuse. | 12010. | struction techniques. |
| 10770 | (c) Direct reallocation criteria. | | (a) In general.(b) Selection criteria. |
| 12772. | Project-specific assistance to community housing development organizations. | | (c) Guidelines.(d) Report. |
| | (a) In general.(b) Project-specific technical assistance | | PART E—OTHER ASSISTANCE |
| | and site control loans. (c) Project-specific seed money loans. | 12821. | Downpayment assistance initiative. |
| 12773. | Housing education and organizational support. | | (a) Definitions.(b) Grant authority. |
| | (a) In general. (b) Eligible activities. | | (c) Eligible activities.(d) Formula allocation. |
| | (c) Delivery of assistance. | | (e) Reallocation.(f) Applicability of other provisions. |
| | (d) Limitations.(e) Single-State contractors. | | (g) Housing strategy. (h) Report. |
| 12774. | (f) "Community land trust" defined. Other requirements. | | (i) Sunset. |
| | (a) Tenant participation plan.(b) Limitation on assistance. | | (j) Relocation assistance and downpay- ment assistance. |
| _ | (c) Adjustments of other assistance. | | (k) Authorization of appropriations. |
| Part | C—OTHER SUPPORT FOR STATE AND LOCAL HOUSING STRATEGIES | 12831. | PART F—GENERAL PROVISIONS Found opportunity |
| 12781. | Authority. | 14001. | Equal opportunity. (a) Solicitation of contracts. |

| Sec. | | Sec. | |
|------------------|---|------------------|--|
| | (b) Report to Congress. | | (a) Grants. |
| 12832. | Nondiscrimination. | | (b) Eligible activities. |
| 12833. | Audits by Comptroller General. (a) Audits of HOME Investment Partner- | | (c) Matching funding.(d) Application. |
| | ships program. | | (d) Selection criteria. |
| | (b) Audits of recipients. | | (e) Approval. |
| 12834. | Uniform recordkeeping and reports to Con- | 12874. | Homeownership program requirements. |
| | gress. (a) Uniform requirements. | | (a) In general.(b) Affordability. |
| | (b) Omitted. | | (c) Plan. |
| 12835. | Citizen participation. | | (d) Acquisition and rehabilitation limita- |
| 12836. | Labor. | | tion. |
| | (a) In general. (b) Waiver. | | (e) Financing.(f) Housing quality standards. |
| 12837. | Interstate agreements. | | (g) Protection of nonpurchasing families. |
| 12838. | Environmental review. | 12875. | Other program requirements. |
| | (a) In general. | | (a) Preferences. |
| | (b) Procedure. (c) Certification. | | (b) Cost limitations.(c) Use of proceeds from sales to eligible |
| | (d) Assistance to units of general local | | families. |
| | government from a State. | | (d) Restrictions on resale by home- |
| 12839. | Termination of existing housing programs. | | owners. |
| | (a) In general.(b) Repeals. | | (e) Third party rights.(f) Dollar limitation on economic devel- |
| | (c) Disposition of repayments. | | opment activities. |
| 12840. | Suspension of requirements for disaster | | (g) Timely homeownership. |
| | areas. | | (h) Records and audit of recipients of as- |
| SUBCE | HAPTER III—NATIONAL HOMEOWNERSHIP | | sistance. (i) Certain entities not eligible. |
| | TRUST DEMONSTRATION | 12876. | Definitions. |
| 12851. | National Homeownership Trust. | 12877. | Exemption. |
| | (a) Establishment. | 12878. | Limitation on selection criteria. |
| | (b) Board of Directors.(c) Powers of Trust. | 12879. 12880. | Implementation. Report. |
| | (d) Travel and per diem. | | • |
| | (e) Director and staff. | PART | r B—HOPE FOR HOMEOWNERSHIP OF SINGLE |
| 12852. | Assistance for first-time homebuyers. | | FAMILY HOMES |
| | (a) In general. | 12891. | Program authority. |
| | (b) Eligibility requirements.(c) Terms of assistance. | 12892. | Planning grants. (a) Grants. |
| | (d) Allocation formula. | | (b) Eligible activities. |
| | (e) Assistance in connection with hous- | | (c) Application. |
| | ing financed with mortgage revenue | 10000 | (d) Selection criteria. |
| 12853. | bonds. National Homeownership Trust Fund. | 12893. | Implementation grants. (a) Grants. |
| 12000. | (a) Establishment. | | (b) Eligible activities. |
| | (b) Assets. | | (c) Matching funding. |
| | (c) Use of amounts. | | (d) Application.(e) Selection criteria. |
| | (d) Investment of excess amounts.(e) Demonstration programs. | | (f) Approval. |
| 12854. | Definitions. | 12894. | Homeownership program requirements. |
| 12855. | Regulations. | | (a) In general. |
| 12856. | Report. | | (b) Affordability.(c) Eligible property. |
| 12857. 12858. | Authorization of appropriations. Transition. | | (d) Plan. |
| 12000. | (a) Authority of Secretary. | | (e) Housing quality standards. |
| | (b) Applicability of Trust provisions. | | (f) Preference for acquisition of vacant |
| 10050 | (c) Certification of Fund to Treasury. | 12895. | units. Other program requirements. |
| 12859. | Termination. | 12055. | (a) Cost limitations. |
| | HAPTER IV—HOPE FOR HOMEOWNERSHIP LTIFAMILY AND SINGLE FAMILY HOMES | | (b) Use of proceeds from sales to eligible |
| | | | families. |
| 12870. | Authorization of appropriations. (a) Fiscal year 1993. | | (c) Restrictions on resale by home- |
| | (b) Fiscal year 1994. | | owners. (d) Third party rights. |
| | (c) Technical assistance. | | (e) Protection of nonpurchasing families. |
| PART A | —HOPE FOR HOMEOWNERSHIP OF MULTIFAMILY | | (h) Records and audit of recipients of as- |
| 1 11101 11 | Units | 10000 | sistance. Definitions. |
| 12871. | Program authority. | 12896. 12897. | Limitation on selection criteria. |
| 12011. | (a) In general. | 12898. | Implementation. |
| | (b) Authority to reserve housing assist- | 12898a. | Enterprise zone homeownership opportunity |
| 10070 | ance. | | grants. |
| 12872. | Planning grants. (a) Grants. | | (a) Statement of purpose.(b) Definitions. |
| | (b) Eligible activities. | | (c) Assistance to nonprofit organizations. |
| | (c) Application. | | (d) Eligible uses of assistance. |
| 10070 | (d) Selection criteria. | | (e) Program requirements. |
| 12873. | Implementation grants. | | (f) Terms and conditions of assistance. |
| | | | |

Sec.

- (g) Program selection criteria.
- (h) Regulations.
- (i) Funding.

PART C-HOPE FOR YOUTH: YOUTHBUILD

12899. Statement of purpose.12899a. Program authority.12899b. Planning grants.

- (a) Grants.
- (b) Eligible activities.
- (c) Application.
- (d) Selection criteria.

12899c. Implementation grants.

- (a) Grants.
- (b) Eligible activities.
- (c) Application.
- (d) Selection criteria.
- (e) Priority for applicants who obtain housing money from other sources.
- (f) Approval.
- (g) Combined planning and implementation grant application procedure.

12899d. Youthbuild program requirements.

- (a) Residential rental housing.
- (b) Transitional housing.
- (c) Limitations on profits for rental and transitional housing.
- (d) Homeownership.
- (e) Restrictions on conveyance.
- (f) Conversion of transitional housing.
- (g) Period of restrictions.

12899e. Additional program requirements.

- (a) Eligible participants.
- (b) Minimum time devoted to educational services and activities.
- (c) Authority restriction.
- (d) State and local standards.
- (e) Wages, labor standards, and nondiscrimination.

12899f. Definitions.

12899g. Management and technical assistance.

- (a) Secretary assistance.
- (b) Sponsor assistance.
- (c) Application preparation.
- (d) Reservation of funds.

12899h. Contracts.

12899h-1. Ineligibility of Indian tribes.

12899i. Regulations.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 12 section 1831q.

SUBCHAPTER I—GENERAL PROVISIONS AND POLICIES

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in sections 1437c-1, 1437u, 12821 of this title.

§ 12701. National housing goal

The Congress affirms the national goal that every American family be able to afford a decent home in a suitable environment.

(Pub. L. 101–625, title I, §101, Nov. 28, 1990, 104 Stat. 4085.)

SHORT TITLE OF 2003 AMENDMENT

Pub. L. 108–186, title I, §101, Dec. 16, 2003, 117 Stat. 2685, provided that: "This title [amending part E of subchapter II of this chapter] may be cited as the 'American Dream Downpayment Act'."

SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106-569, title I, §101, Dec. 27, 2000, 114 Stat. 2946, provided that: "This title [amending sections 5307, 12705c, and 12705d of this title] may be cited as the 'Housing Affordability Barrier Removal Act of 2000'."

SHORT TITLE

Section 1(a) of Pub. L. 101-625 provided that: "This Act [see Tables for classification] may be cited as the 'Cranston-Gonzalez National Affordable Housing Act'."

Section 201 of title II of Pub. L. 101–625 provided that: "This title [enacting subchapter II of this chapter, amending section 1437f of this title, and repealing sections 1437o and 1452b of this title, section 1706e of Title 12, Banks and Banking, and provisions set out as a note under section 1715l of Title 12] may be cited as the 'HOME Investment Partnerships Act'."

Section 301 of Pub. L. 101–625 provided that: "This subtitle [subtitle A (§§ 301–310) of title III of Pub. L. 101–625, enacting subchapter III of this chapter] may be cited as the 'National Homeownership Trust Act'."

MILLENNIAL HOUSING COMMISSION

Pub. L. 107-73, title II, Nov. 26, 2001, 115 Stat. 671, provided in part: "That \$1,500,000 shall be for necessary expenses of the Millennial Housing Commission, as authorized by section 206 of Public Law 106-74 [set out below], with the final report due no later than May 30, 2002 and a termination date of August 30, 2002, notwithstanding section 206(f) and (g) of Public Law 106-74".

Pub. L. 106-74, title II, §206, Oct. 20, 1999, 113 Stat. 1070, as amended by Pub. L. 106-554, §1(a)(4) [div. B, title X, §1001], Dec. 21, 2000, 114 Stat. 2763, 2763A-310, provided that:

"(a) ESTABLISHMENT.—There is hereby established a commission to be known as the Millennial Housing Commission (in this section referred to as the 'Commission').

"(b) STUDY.—The duty of the Commission shall be to conduct a study that examines, analyzes, and explores—

"(1) the importance of housing, particularly affordable housing which includes housing for the elderly, to the infrastructure of the United States:

"(2) the various possible methods for increasing the role of the private sector in providing affordable housing in the United States, including the effectiveness and efficiency of such methods; and

"(3) whether the existing programs of the Department of Housing and Urban Development work in conjunction with one another to provide better housing opportunities for families, neighborhoods, and communities, and how such programs can be improved with respect to such purpose.

"(c) MEMBERSHIP.—
"(1) NUMBER AND APPOINTMENT.—The Commission shall be composed of 22 members, appointed not later than January 1, 2000, as follows:

'(A) Two co-chairpersons appointed by-

"(1) one co-chairperson appointed by a committee consisting of the chairmen of the Subcommittees on the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies of the Committees on Appropriations of the House of Representatives and the Senate, and the chairman of the Subcommittee on Housing and Community Opportunities of the House of Representatives and the chairman of the Subcommittee on Housing and Transportation of the Senate; and

"(ii) one co-chairperson appointed by a committee consisting of the ranking minority members of the Subcommittees on the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies of the Committees on Appropriations of the House of Representatives and the Senate, and the ranking minority member of the Subcommittee on Housing and Community Opportunities of the House of Representatives and the ranking minority member of the Subcommittee on Housing and Transportation of the Senate.

"(B) Ten members appointed by the Chairman and Ranking Minority Member of the Committee on Appropriations of the House of Representatives